



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

April 23, 2014

By Hand and ECF

The Honorable George B. Daniels
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Satnarine Seebachan
 12 Cr. 505 (GBD)

Dear Judge Daniels:

The Government respectfully submits this letter in opposition to the defendant's third motion for a continuance of the sentencing date in the above-referenced matter.

On September 23, 2013, the defendant was found guilty by a jury on the one-count Indictment after a week-long trial presided over by Your Honor. Sentencing originally was scheduled for January 29, 2014 at 9:45 a.m. A week before the original sentencing date, on January 22, 2014, the defendant sought an adjournment of sentencing until March 20, 2014 based on defense counsel's claim that his "time and resources ha[d] been devoted to a [sic] several complex matters" and therefore that he needed "additional time to adequately prepare a Sentencing Memorandum" on behalf of the defendant. See Letter from Anthony L. Ricco to the Court, dated Jan. 22, 2014. By Order dated January 24, 2014, the Court adjourned the sentencing to March 20, 2014 at 10:00 a.m.

Again, a week before the second sentencing date, on March 12, 2014, the defendant sought a second adjournment of sentencing until April 24, 2014 based on the same claims defense counsel had asserted in his first request as well as that he presently was "engaged on trial in [an] attempted murder case." See Letter from Anthony Ricco to the Court, dated Mar. 12, 2014. By Order dated March 17, 2014, the Court adjourned the sentencing to April 24, 2014 at 10:15 a.m.

Now, a day before the third sentencing date, the defendant yet again requests an adjournment until sometime after June 9, 2014 based on defense counsel's claim that he will be picking a jury tomorrow in the Eastern District of New York before the Honorable Allyne R. Ross and then will be on trial for at least the next four weeks. The defendant, however, filed his Sentencing Memorandum today and the Government is prepared to respond to it today. As it has

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been seven months since the defendant was found guilty, the defendant's sentencing should not be adjourned further and certainly should not be adjourned until sometime in June.

While the Government is prepared to proceed with sentencing as scheduled tomorrow at 10:15 a.m., before granting any adjournment, the Court should, at a minimum, require defense counsel to ask Judge Ross if it is possible to delay the beginning of voir dire to permit him to appear as previously scheduled before this Court. If such request is denied, then the Government respectfully requests that the Court grant only a brief one or two-week adjournment of sentencing and, if Judge Ross sits every day of the week for trial, schedule the sentencing either early in the morning before trial or after 5 p.m. to accommodate the defendant's trial schedule.

Respectfully submitted,

PREET BHARARA
United States Attorney
Southern District of New York

By: _____ /s/
CARRIE H. COHEN
Assistant United States Attorney

cc by ECF: Anthony Ricco, Esq.